



ALEXANDER BURRELL

Year called 2014

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Alexander specialises in commercial and construction disputes, with a focus on international dispute resolution and arbitration.

Alexander's international practice is predominantly based in the United Arab Emirates and the wider MENA region.

Within the last eighteen months, Alexander has worked as sole counsel on a number of multi-million dollar commercial arbitrations, with an emphasis on complex construction disputes throughout the Middle East. His cases involve a number of high-profile property development projects, and his clients include multi-national subcontractors, major regional building contractors and well-known developers in the Dubai, Abu Dhabi and wider GCC construction sector.

His work includes representing clients in a number of regional and international arbitration centres, including the ICC, DIFC-LCIA, DIAC and ADCCAC, and advising (and appearing in hearings concerning) complex questions of foreign law, jurisdictional, procedural and enforcement issues. Alexander is also a registered DIFC Court practitioner and regularly appears before the DIFC Court in a number of areas, including applications for interim injunctive relief.

Alexander's domestic practice covers general construction litigation and commercial litigation.

PRACTICE AREAS

- Construction
- Commercial
- International Arbitration
- Insolvency
- Property
- Employment

BARRISTERS · ARBITRATORS · MEDIATORS

PRACTICE AREAS

CONSTRUCTION

Recent examples of Alexander's construction work include:

ARBITRATION:

- DIFC-LCIA – Successfully acting as sole counsel in an emergency arbitration for a major real estate developer in an application brought by the main contractor, requesting a variety of specific performance orders requiring the withdrawal of bond calls, following the encashment of bonds in the value of \$12.25m, after the contract had been terminated, securing the dismissal of the application.
- ICC – Acting as sole counsel for a multi-national contractor in a Geneva seated arbitration valued at over \$32.4m. The arbitration was brought by a multi-national specialist sub-contractor in respect of a planned high-value and prestigious project based in Dubai. The case centered on the interpretation and legal effect of the payment provisions between the parties, when the sub-contractor would become entitled to payment, and whether the sub-contract works were completed.
- ICC – Acting as sole counsel for a major regional contractor, in Dubai seated proceedings against an employer, in respect of a dispute arising out of two related fit-out contracts, with a combined value in dispute in the region of \$5m.
- DIAC – Acting as sole counsel for a multi-national specialist steel fabrication and construction contractor in respect of an ongoing arbitration against a well-known multi-national main contractor, arising out of a large and prestigious development in Dubai, with a claim value in the region of \$10m.
- DIAC – Acting as sole counsel for a well-known international developer in respect of two related contracts in ongoing proceedings concerning the development of two large blocks of flats, in interim proceedings in an effort to secure the removal of a main contractor from the site following its termination, including successfully securing the dismissal of the main contractor's jurisdictional challenge.
- DIAC – Acting as sole counsel for a major regional main contractor in ongoing Dubai seated proceedings against its subcontractor, with a combined value in dispute of around \$5m.
- ADCCAC – Advising and representing a major regional main contractor in an ongoing Abu Dhabi seated arbitration against a road paving subcontractor, with a claim value of \$2.3m.

DIFC COURT:

- Advising and representing as sole counsel a renowned international real estate developer, operating through an SPV, in proceedings challenging the enforcement of a DIFC-LCIA arbitration award in the sum of \$15.5m in the DIFC Courts, in connection with a construction dispute on a large and prestigious property development.
- Advising and representing as sole counsel the Applicant main contractor following the award of an *ex parte* interim mandatory and prohibitory injunction, requiring the employer to withdraw its call on a performance bond in the value of \$17.8m (and prohibiting further calls). The parties settled after the injunction was granted by the DIFC Court.
- Drafting particulars of claim in respect of a main contractor's claim for specific performance requiring

the return/cancellation of a performance bond and an order for the payment of damages in the region of \$1m. The parties settled after the particulars of claim were issued.

COMMERCIAL

Recent examples of Alexander's commercial work include:

ARBITRATION:

- ICC – Advising and representing as sole counsel a commercial entity as claimant in respect of an international dispute concerning the sale of a petro-chemical plant, where the combined value in dispute exceeds \$68m. The parties settled after the claimant's reply pleadings and response to joinder pleadings.
- DIAC – Advising and representing as sole counsel a major real estate developer in a Dubai seated arbitration regarding a sale-purchase contract dispute in the UAE valued at over \$3.4m, and successfully securing the dismissal of the case on jurisdictional grounds.

DIFC COURT:

- Advising and representing as sole counsel two defendants in a \$8.1m claim arising out of alleged misrepresentation and deceit in respect of a contract for the supply of various oil products (ongoing).
- *Ribbon Consulting v Ahmad Javaheri* CFI-034-2020 – Acting as sole counsel for a management consulting and event management company in its appeal (after permission was obtained) against a DIFC Court judgment dismissing its claim and allowing a counterclaim.
- Advising on the merits and strategy of commencing proceedings against an investment company for misrepresentation, for a sum in the region of \$2m.

HIGH COURT:

- Whilst on secondment in house at a London based solicitors' firm, working as part of the litigation team in the case *Al Nehayan v Kent* [2018] EWHC 333 (Comm) concerning a complex contractual dispute between an Emirati Royal and a Greek businessman following the failure of a joint business venture.

INTERNATIONAL ARBITRATION

Recent examples of Alexander's international arbitration work include:

- DIFC-LCIA – Successfully acting as sole counsel in an emergency arbitration for a major real estate developer in an application brought by the main contractor, requesting a variety of specific performance orders requiring the withdrawal of bond calls, following the encashment of bonds in the value of \$12.25m, after the contract had been terminated, securing the dismissal of the application.
- ICC – Acting as sole counsel for a multi-national contractor in a Geneva seated arbitration valued at over \$32.4m. The arbitration was brought by a multi-national specialist sub-contractor in respect of a planned high-value and prestigious project based in Dubai. The case centered on the interpretation and legal effect of the payment provisions between the parties, when the sub-contractor would become entitled to payment, and whether the sub-contract works were completed.
- ICC – Advising and representing as sole counsel a commercial entity as claimant in respect of an

international dispute concerning the sale of a petro-chemical plant, where the combined value in dispute exceeds \$68m. The parties settled after the claimant's reply pleadings and response to joinder pleadings.

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- DIAC – Advising and representing as sole counsel a major real estate developer in a Dubai seated arbitration regarding a sale-purchase contract dispute in the UAE valued at over \$3.4m, and successfully securing the dismissal of the case on jurisdictional grounds.
- DIAC – Acting as sole counsel for a major regional main contractor in ongoing Dubai seated proceedings against its subcontractor, with a combined value in dispute of around \$5m.
- ADCCAC – Advising and representing a major regional main contractor in an ongoing Abu Dhabi seated arbitration against a road paving subcontractor, with a claim value of \$2.3m.

INSOLVENCY

Alexander also accepts instructions in personal and commercial insolvency. He has appeared in the Companies Court and in winding up petitions. He has experience in bankruptcy petitions, applications under the Insolvency Act/Companies Act, charging orders and orders for sale, as well as cases concerning commercial and personal debt recovery, including applications for committal. He also has experience drafting and advising in these areas.

PROPERTY

Alexander has experience in a variety of commercial property disputes, acting for both landlords and tenants. This includes forfeiture (and relief) claims, claims for accounts of profits, arrears, disrepair/dilapidations, compensation and interim rent.

Alexander also has experience advising and draft pleadings in cases concerning the sale of land, including regarding misrepresentation, proprietary estoppel and collateral contracts.

EMPLOYMENT

Alexander has experience in a range of employment matters, having appeared in preliminary hearings and multi-day final hearings, including cases concerning unfair dismissal, constructive unfair dismissal and discrimination. Alexander's previous cases have involved complex disputes over contractual construction and inclusion of contract terms regarding leave, as well as injunction proceedings for restrictive covenants.

RECOMMENDATIONS

- *"He was, as usual, absolutely brilliant and achieved a fantastic result which I felt was unlikely to be possible."*
- *"He really put himself out to make sure that he went the extra mile in his preparations and I've started the weekend with an extremely happy client"*
- *"Alex did a superb job under pressure"*

QUALIFICATIONS

- BPTC, Kaplan Law School (2013 – 2014)
- LLB, University of Bristol (2010 – 2013)

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